United Nations CRC/C/SYC/CO/5-6

Convention on the Rights of the Child

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Committee on the Rights of the Child

Concluding observations on the combined fifth and sixth periodic reports of Seychelles*

I. Introduction

1. The Committee considered the combined fifth and sixth periodic reports of Seychelles (CRC/C/SYC/5-6) at its 2260th and 2261st meetings (see CRC/C/SR.2260 and 2261), held on 18 and 19 January 2018, and adopted the present concluding observations at its 2282nd meeting, held on 2 February 2018.

2. The Committee welcomes the submission of the combined fifth and sixth periodic reports of the State party and the written replies to the list of issues (CRC/C/SYC/Q/5-6/Add.1), which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses appreciation for the constructive dialogue held with the high-level and multisectoral delegation of the State party.

II. Follow-up measures taken and progress achieved by the State party

3. The Committee welcomes the progress achieved by the State party in various areas, including the ratification of and accession to international instruments, in particular the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, on 11 December 2012. The Committee also notes with appreciation the legislative, institutional and policy measures adopted to implement the Convention, in particular: the adoption of the Children (Amendment) Act, 2016, concerning the Family Tribunal; the enactment of the Prohibition of Trafficking in Persons Act, 2014; the adoption of the Probation of Offenders (Amendment) Act, 2014; and the passing of the Education (Amendment) Bill by the National Assembly. The Committee also acknowledges the leadership shown at the regional level by the State party in the field of early childhood care and education, as recognized by the International Bureau of Education of the United Nations Educational, Scientific and Cultural Organization in 2017.

III. Main areas of concern and recommendations

4. The Committee reminds the State party of the indivisibility and interdependence of all the rights enshrined in the Convention and emphasizes the importance of all the recommendations contained in the present concluding observations. The Committee would like to draw the State party's attention to the recommendations concerning the following areas, in respect of which urgent measures must be taken: the need to ensure that the new

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national action plan on families 2018–2022 provides greater visibility for children's rights (para. 8 (a)); the rights of the child to a name and nationality, to know and be cared for by his or her parents and to his or her identity (para. 21); all forms of violence against children, including corporal punishment (para. 23); sexual exploitation and abuse (para. 25); and the administration of juvenile justice, in particular as regards the minimum age of criminal responsibility (para. 39).

A. General measures of implementation (arts. 4, 42 and 44 (6))

Legal status of the Convention

5. **The Committee recommends that the State party take measures to explicitly and fully incorporate all provisions of the Convention and its Optional Protocols into its national legislation in order to ensure their direct application by the courts and administrative decision-making bodies.**

Legislation

6. **Noting the insufficient implementation of legislation, in particular of the Children Act, the undergoing review of which has not reached the bill stage yet, and recalling its previous recommendation (see CRC/C/SYC/CO/2-4, para. 11), the Committee urges the State party to accelerate amendment of the remaining legislation that contradicts the Convention and to ensure that all the principles and provisions of the Convention are fully incorporated into the domestic legal system and that the human, technical and financial resources allocated for the implementation of legislation providing for children's rights are sufficient and adequate.**

Comprehensive policy and strategy

7. The Committee welcomes the adoption of the Social Renaissance National Action Plan (2012–2016), the National Action Plans for Early Childhood Care and Education for the periods 2013–2014, 2015–2016 and 2017–2018, the Education Sector Medium-Term Strategic Plan 2013–2017 and the 2015 Inclusive Education Policy. It regrets, however, that the National Plan of Action for Children for the period 2005–2009 was not renewed following its evaluation in 2012.

8. **Recalling its previous recommendations (see CRC/C/SYC/CO/2-4, para. 15), the Committee encourages the State party to:**

(a) **Ensure that the new national plan of action on families 2018–2022 provides greater visibility for children's rights in all areas covered by the Convention;**

(b) **Develop, on the basis of the new national plan of action on families 2018–2022, a strategy with the necessary elements for its application, which is supported by sufficient human, technical and financial resources;**

(c) **Specify the roles and responsibilities of all implementing agencies and include specific time-bound and measurable goals and targets in the new national plan of action;**

(d) **Provide for the new national plan of action's effective implementation, monitoring and evaluation.**

Coordination

9. **Noting the State party's submission that the Social Services Division of the Social Affairs Department of the Ministry of Social Affairs, Community Development and Sport, as the coordinating body for activities related to children's rights, is still challenged by constraints regarding human, technical and financial resources, the Committee recalls its previous recommendations (see CRC/C/SYC/CO/2-4, para. 13) and urges the State party to continue reviewing the mandate, membership and functioning of its coordinating entities with a view to coordinating all activities related to the implementation of the Convention at the cross-sectoral, national, regional and**

local levels, and, in particular, ensure the allocation of the necessary human, technical and financial resources for their effective operation.

Allocation of resources

10. **While noting that Seychelles achieved high-income country status in 2015, the Committee regrets the absence of concrete information, including budget lines, regarding resources allocated to children and social sectors and indicating the percentage of each budget line and the geographic allocation of those resources. With reference to the Committee's general comment No. 19 (2016) on public budgeting for the realization of children's rights, it recalls its previous recommendations (see CRC/C/SYC/C/CO/2-4, para. 19) and recommends that the State party:**

(a) **Conduct a comprehensive assessment of the budget needs of children and allocate adequate budgetary resources, in accordance with article 4 of the Convention, for the implementation of children's rights and, in particular, increase the budget allocated to social sectors and address disparities on the basis of indicators related to children's rights;**

(b) **Utilize a child-rights approach in planning the State budget, by implementing a tracking system for the allocation and use of resources for children throughout the budget, including for impact assessments on how investments in any sector may serve the best interests of the child, ensuring that the differential impact of such investment on girls and boys is measured;**

(c) **Conduct a comprehensive assessment of budget needs and establish transparent allocations to progressively address the disparities in indicators related to children's rights;**

(d) **Ensure transparent and participatory budgeting through public dialogue, especially with children, for proper accountability of local authorities;**

(e) **Define budgetary lines for children in disadvantaged or vulnerable situations that may require affirmative social measures and make sure that those budgetary lines are protected, even in situations of economic crisis, natural disasters or other emergencies;**

(f) **Carry out impact assessments of any austerity measures in areas that are directly or indirectly related to children's rights in view of the economic reforms the State party has undergone since 2008;**

(g) **Strengthen the capacity of the Anti-Corruption Commission to effectively detect, investigate and prosecute corruption, taking note of target 16.5 of the Sustainable Development Goals on substantially reducing corruption and bribery in all their forms, and provide information to the Committee in its next report on the number of investigations, prosecutions and sentences in this regard.**

Data collection

11. **While welcoming the sets of statistical data provided to the Committee and noting the information from the State party that collection of reliable data continues to be a challenge and that the surveys and studies that have been carried out within the State party are ad hoc and limited in scope or out-of-date or have been discontinued, the Committee, with reference to its previous recommendations (see CRC/C/SYC/CO/2-4, paras. 23 and 25) and to its general comment No. 5 (2003) on general measures of implementation of the Convention, urges the State party to:**

(a) **Expeditiously improve its data collection and management system, the data of which should cover all areas of the Convention and should be disaggregated by age, sex, type of disability, geographic location, ethnic origin and socioeconomic background, to facilitate analysis of the situation of all children, particularly those in situations of vulnerability;**

(b) **Ensure that the data and indicators are shared among the ministries concerned and used for the formulation, monitoring and evaluation of policies, programmes and projects for the effective implementation of the Convention;**

(c) **Take into account the conceptual and methodological framework set out in the report of the Office of the United Nations High Commissioner for Human Rights (OHCHR) entitled *Human Rights Indicators: A Guide to Measurement and Implementation* when defining, collecting and disseminating statistical information;**

(d) **Swiftly implement the data collection and management system developed by the department of information and communications technology for the Social Affairs Department in all districts and train all social workers in the State party on how to use the system;**

(e) **Strengthen its technical cooperation with, among others, the United Nations Children's Fund (UNICEF), the United Nations Development Programme (UNDP), through the Voluntary Trust Fund for Participation in the Universal Periodic Review, and with regional mechanisms, such as the African Committee of Experts on the Rights and Welfare of the Child of the African Union, and continue making efforts, in cooperation with other countries in the region and the international community, to reactivate the Indian Ocean Child Rights Observatory.**

Independent monitoring

12. **Noting the submission by the State party that the review of its national human rights institution, namely the National Human Rights Commission, and of the Office of the Ombudsman is still ongoing, the Committee recalls its previous recommendations (see CRC/C/SYC/CO/2-4, para. 17) and, with reference to its general comment No. 2 (2002) on the role of independent human rights institutions in the promotion and protection of the rights of the child, recommends that the State party:**

(a) **Finalize the review of the National Human Rights Commission and the Office of the Ombudsman, with a view to extending their mandates to include a specific mechanism for monitoring children's rights that is able to receive, investigate and address complaints by or on behalf of children regarding violations of their rights in all areas covered by the Convention in a child-sensitive manner;**

(b) **Ensure the independence of such monitoring mechanisms, including with regard to their funding, mandate and immunities, so as to ensure full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles);**

(c) **Seek technical cooperation in this regard from, among others, OHCHR, UNICEF and UNDP.**

Dissemination, awareness-raising and training

13. **Recognizing the efforts of the State party to implement awareness-raising programmes, including campaigns, as well as child-protection training programmes, in view of the rise in reported child abuse cases towards the end of 2014, and recalling its previous recommendations (see CRC/C/SYC/CO/2-4, paras. 27 and 29), the Committee recommends that the State party:**

(a) **Conduct a study of the socioeconomic and sociocultural factors that may impede the full implementation of the Convention;**

(b) **Intensify its efforts to disseminate the Convention, including through awareness-raising programmes, to parents, the wider public and children, including through appropriate materials tailored specifically for children in different communities, as well as to legislators and judges, with a view to ensuring that the principles and provisions of the Convention are applied in the legislative and judicial processes;**

(c) Strengthen its training programmes for everyone working with and for children and continue implementing a train-the-trainer approach;

(d) Seek technical assistance from, among others, UNICEF, OHCHR, through the Voluntary Trust Fund for Participation in the Universal Periodic Review and the Inter-Parliamentary Union.

Cooperation with civil society

14. The Committee recommends that the State party involve children in its cooperation framework with civil society, including non-governmental organizations.

Children's rights and the business sector

15. With reference to its general comment No. 16 (2013) on State obligations regarding the impact of the business sector on children's rights and to the Guiding Principles on Business and Human Rights, and recalling its previous recommendations (see CRC/C/SYC/CO/2-4, para. 21), the Committee recommends that the State party establish and implement regulations to ensure that the business sector complies with international and national human rights, labour, environmental and other standards, particularly with regard to children's rights. It recommends that the State party:

(a) Establish a clear regulatory framework for the industries operating in the State party, in particular the tourism, fishing and farming industries, to ensure that their activities do not negatively affect children's rights or endanger environmental and other standards;

(b) Ensure effective implementation by companies, of international and national environmental and health standards, effective monitoring of the implementation of these standards and appropriately sanction and provide remedies for any violations that occur, as well as ensure that appropriate international certification is sought;

(c) Require companies to undertake assessments, consultations and full public disclosure of the environmental, health-related and human rights impacts of their business activities and their plans to address such impacts;

(d) Examine and adapt its legislative framework (civil, criminal and administrative) to ensure the legal accountability of companies and their subsidiaries operating in or managed from the State party's territory, especially in the tourism industry;

(e) Establish monitoring mechanisms for the investigation and redress of children's rights violations;

(f) Implement awareness-raising programmes, including campaigns, targeting the tourism industry and the public at large, on the prevention of child sexual exploitation in travel and tourism and widely disseminate the World Tourism Organization's Global Code of Ethics for Tourism and encourage operators in the travel and tourism industry to adopt a code of conduct on respect for the rights of children;

(g) Strengthen its international cooperation against child sexual exploitation in travel and tourism through multilateral, regional and bilateral arrangements for its prevention and elimination.

B. Definition of the child (art. 1)

16. The Committee reiterates its previous recommendations and strongly urges the State party to take all necessary measures to harmonize the minimum age of marriage for girls with that for boys, by raising the minimum age of marriage for girls to 18

years, including by separating the review of article 40 of the Civil Status Act from the review of the Act as a whole and expediting its amendment.

C. General principles (arts. 2, 3, 6 and 12)

Non-discrimination

17. **The Committee reiterates its previous recommendations (see CRC/C/15/Add.189, para. 24 and CRC/C/SYC/CO/2-4, para. 35) and urges the State party to:**

(a) **Amend its legislation to specifically prohibit discrimination on the basis of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status;**

(b) **Remove the terms "illegitimate child" and "illegitimate children" from the Civil Code and the gender discriminatory "carnal knowledge" provision from art. 15 (3) of the Penal Code;**

(c) **Adopt and implement a comprehensive strategy addressing all forms of discrimination, including multiple forms of discrimination, against all groups of children in vulnerable situations, and combating discriminatory societal attitudes;**

(d) **Collect data, disaggregated by age, sex, type of disability, geographic location, ethnic origin and socioeconomic background, to enable effective monitoring of de facto discrimination.**

Best interests of the child

18. **Recognizing that institutions such as the Social Services Division or the Family Tribunal have taken the child's best interests as a primary consideration and with reference to its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee recommends that the State party:**

(a) **Strengthen its efforts to ensure that this right is appropriately integrated into and consistently interpreted and applied in all legislative, administrative and judicial proceedings and decisions and in all policies, programmes and projects that are relevant to and have an impact on children, including by establishing compulsory processes for the ex ante and ex post impact assessments of all laws and policies relevant to children on the realization of the right of the child to have his or her best interests taken as a primary consideration;**

(b) **Develop procedures and criteria to provide guidance to all relevant persons in authority for determining the best interests of the child in every area and for giving them due weight as a primary consideration.**

Respect for the views of the child

19. **Recalling its previous recommendations (see CRC/C/SYC/CO/2-4, para. 39), and with reference to its general comment No. 12 (2009) on the right of the child to be heard, the Committee recommends that the State party continue to strengthen its efforts to ensure that children's views are given due consideration in the family and at home, in courts, in schools, and in all administrative and other proceedings and in all matters concerning them through, inter alia, the adoption of appropriate legislation, the training of professionals and the establishment of specific activities in schools.**

D. Civil rights and freedoms (arts. 7, 8 and 13–17)

Rights of the child to a name and nationality, to know and be cared for by his or her parents and to his or her identity

20. The Committee remains deeply concerned that no law has been enacted to ensure the right of children born out of wedlock to know their biological father and that the State party considers implementing the Committee's recommendations to be difficult owing to sociocultural aspects. The Committee is also concerned that the Citizenship Act does not provide for the acquisition of citizenship of the State party by children born to unknown parents or abandoned by their parents on the territory of the State party, a situation which may render them stateless.

21. **Taking note of target 16.9 of the Sustainable Development Goals on providing legal identity for all, including birth registration, and reiterating its previous recommendations (see CRC/C/15/Add.189, para. 31 and CRC/C/SYC/CO/2-4, para. 41), the Committee urges the State party to:**

(a) **Urgently revise legislation to ensure that all children born out of wedlock have the legal right to know and maintain contact with both their biological parents;**

(b) **Introduce legal safeguards for children in the State party who would otherwise be stateless, in line with article 6 of the African Charter on the Rights and Welfare of the Child, and consider ratifying the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness;**

(c) **Seek technical assistance from the Office of the United Nations High Commissioner for Refugees and UNICEF, among others, for the implementation of these recommendations.**

E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

Corporal punishment

22. The Committee welcomes the fact that the Education (Amendment) Bill 2017, prohibiting corporal punishment in schools, was passed by the National Assembly in December 2017. However, the Committee is concerned that its other relevant previous recommendations have not been implemented, namely explicitly prohibiting corporal punishment in all settings.

23. **Reiterating its concluding observations (see CRC/C/15/Add.189, paras. 32–33, and CRC/C/SYC/CO/2-4, para. 43) and with reference to its general comments No. 13 (2011) on the right of the child to freedom from all forms of violence and No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, the Committee urges the State party to:**

(a) **Expedite the amendments to the Children Act repealing section 70 (7), which allows for corporal punishment, and explicitly prohibit the use of corporal punishment at all settings, including at home, in alternative care settings, in day-care institutions and in penal institutions;**

(b) **Strengthen public education, awareness-raising and social mobilization programmes involving children, families and communities on the harmful effects of corporal punishment, with a view to changing attitudes and promoting alternative, positive and non-violent forms of child-rearing and discipline.**

Sexual exploitation and abuse

24. The Committee welcomes the measures taken by the State party to address sexual exploitation and abuse of children, including the launch of an education campaign and the establishment of a police child-protection team. However, it is seriously concerned at:

(a) The delay in the adoption of a specific law against domestic violence, including violence against children;

(b) The lack of research being undertaken specifically into these phenomena since the previous concluding observations;

(c) The increase in reported cases of sexual abuse and the fact that the flourishing tourism industry in the State party may increase commercial sexual exploitation of children, in particular girls, which may further be fuelled by the growing prevalence of drug and substance abuse among children, increasing their vulnerability to in-country trafficking for the purposes of sexual exploitation and forced prostitution;

(d) Reports that a considerable number of mothers push their own children, both girls and boys, into forced prostitution to financially sustain the family.

25. **Recalling its previous recommendations (see CRC/C/SYC/CO/2-4, para. 64) and with reference to its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence, the Committee urges the State party to:**

(a) **Expedite its efforts to enact specific legislation against domestic violence, including violence against children;**

(b) **Conduct research on the nature and extent of sexual exploitation and abuse of boys and girls, including child sexual exploitation in travel and tourism and child prostitution, and provide data on the number of complaints, investigations and prosecutions conducted in this regard;**

(c) **Strengthen mechanisms, procedures and guidelines to ensure mandatory reporting of cases of child sexual abuse and exploitation and ensure that specific training is provided to judiciary and law-enforcement officials so as to change any misconceptions towards child victims and to enable officials to expeditiously handle sensitive cases involving children;**

(d) **Conduct awareness-raising activities to combat the stigmatization of child victims of sexual exploitation and abuse and ensure accessible, confidential, child-friendly and effective channels for the reporting of such violations and develop programmes and policies for prevention and for the recovery and social reintegration of child victims;**

(e) **Continue its efforts to raise public awareness and strengthen early detection, prevention and protection mechanisms.**

Helplines

26. **While welcoming the fact that the State party has availed itself of the technical assistance of Child Helpline International in this regard, and recalling its previous recommendation (see CRC/C/SYC/CO/2-4, para. 67), the Committee recommends that the State party merge existing local helplines into a single three-digit, toll-free, 24-hour national helpline, in the interests of greater efficiency, with adequate financial and technical resources and trained personnel, promote awareness of how children can access the helpline and provide information on how statistics collected from the helplines are used to inform policy and law in addressing violence against children in the next periodic report.**

F. Family environment and alternative care (arts. 5, 9–11, 18 (1) and (2), 20, 21, 25 and 27 (4))

Family environment

27. **Recalling its previous recommendations (see CRC/C/15/Add.189, para. 37 and CRC/C/SYC/CO/2-4, para. 45), the Committee recommends that the State party:**

(a) **Speed up the legal reform with regard to equal rights and responsibilities of parents and overcome stereotypical attitudes regarding child-rearing that are entrenched in society;**

(b) **Develop measures for preventing family disintegration and strengthening the family, particularly in order to prevent child removal;**

(c) **Consider ratifying the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, the Protocol on the Law Applicable to Maintenance Obligations and the Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children.**

Children deprived of a family environment

28. **Recalling its previous recommendations (see CRC/C/15/Add.189, para. 39 and CRC/C/SYC/CO/2-4, para. 47) and with reference to the Guidelines for the Alternative Care of Children, the Committee recommends that the State party:**

(a) **Continue reviewing its policies on alternative care for children deprived of a family environment, which rely heavily on civil society organizations, including faith-based organizations, with a view to developing a more integrated, rights-based and accountable system, with particular focus on the best interests of the child, and ensure the effective monitoring and assessment of placements of children;**

(b) **Take measures to expand the system of foster care for children who cannot stay with their families, with a view to reducing the institutionalization of children;**

(c) **Ensure that adequate human, technical and financial resources are allocated to alternative care centres and relevant child protection services, to facilitate the rehabilitation and social reintegration of children resident therein to the greatest extent possible;**

(d) **Expedite its efforts to harmonize its legislation with the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.**

G. Disability, basic health and welfare (arts. 6, 18 (3), 23, 24, 26, 27 (1)–(3) and 33)

Children with disabilities

29. **Commending the establishment, by the State party, of a special education needs unit within the Ministry of Education and Human Resources Development in 2013 and the introduction of the Inclusive Education Policy in 2015, recalling its previous recommendations (see CRC/C/SYC/CO/2-4, paras. 49 and 60) and taking into account target 4.5 of the Sustainable Development Goals on ensuring equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, the Committee recommends that the State party continue integrating children with disabilities into the mainstream school system and building the capacity, including through training, of primary and secondary school teachers for inclusive education of children with disabilities and for education of children with special needs.**

Health and health services

30. **While noting the almost universal immunization coverage of children and the improvements to the State party's health infrastructure, with reference to its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health and the OHCHR technical guidance on the application of a human rights-based approach to the implementation of policies and programmes to reduce and eliminate preventable mortality and morbidity of children under 5 years of age (A/HRC/27/31) and taking note of target 3.1 of the Sustainable Development Goals on reducing the global maternal mortality ratio and target 3.2 of the Sustainable Development Goals on ending preventable deaths of newborns and children under 5 years of age, the Committee recommends that the State party**

effectively implement existing programmes aimed at reducing mortality rates and seek financial and technical assistance in this regard from, among others, UNICEF and the World Health Organization.

Breastfeeding

31. **Recognizing the efforts of the State party that led to a 94 per cent breastfeeding rate on discharge from hospital in 2014, but noting that rates of exclusive breastfeeding for children aged 6 months remain very low, the Committee recalls its previous recommendations (see CRC/C/SYC/CO/2-4, para. 53) and recommends that the State party step up its efforts to promote exclusive and continued breastfeeding by providing access to materials and promote exclusive breastfeeding of infants for the first six months of their lives, with the aim of reducing mortality among newborns and children aged under 5 years, and limit the use of milk substitutes, including by implementing the International Code of Marketing of Breast-milk Substitutes.**

Adolescent health

32. **With reference to its general comments No. 4 (2003) on adolescent health and development in the context of the Convention and No. 20 (2016) on the implementation of the rights of the child during adolescence and recalling its previous recommendations (see CRC/C/SYC/CO/2-4, para. 55), the Committee recommends that the State party:**

(a) **Expeditiously adopt the national policy on sexual and reproductive health and the national adolescent sexual and reproductive health policy and renew the sexual and reproductive health national strategic plan and monitoring and evaluation framework for the period 2012–2016, with special focus on preventing early pregnancy and sexually transmitted infections;**

(b) **Take all necessary measures to educate children, adolescents and their families about HIV/AIDS and other sexually transmitted diseases, as well as about the negative consequences of early pregnancy and abortions, especially abortions carried out at home;**

(c) **Strengthen its adolescent reproductive health programmes, including life skills education to foster responsible parenthood and sexual behaviour, paying particular attention to boys, continue to allow access to contraceptives for adolescents under the age of 18 years and provide a legal basis to ensure access to comprehensive health services, confidential counselling and support for pregnant adolescent girls, rather than leaving to the discretion of medical personnel decisions on waiving the requirement of parental consent for the treatment of children on the basis of the best interests of the child principle;**

(d) **Develop and implement a policy to protect the rights of pregnant girls and adolescent mothers and their children and combat discrimination against them.**

Drug and substance abuse

33. **Welcoming efforts such as the implementation of the National Drug Control Master Plan 2014–2018, and the 2015 national alcohol policy and the establishment of the Prevention of Drug Abuse and Rehabilitation Agency in 2017 and recalling its previous recommendations (see CRC/C/15/Add.189, para. 53 and CRC/C/SYC/CO/2-4, para. 57), the Committee urges the State party to:**

(a) **Strengthen its measures to address drug use by children and adolescents by, inter alia, providing children and adolescents with accurate and objective information and life skills education on preventing substance abuse, including tobacco and alcohol, and developing accessible and youth-friendly drug dependence treatment and harm-reduction services;**

(b) **Ensure sufficient and adequate human, technical and financial resources for the Prevention of Drug Abuse and Rehabilitation Agency;**

(c) Prohibit tobacco and alcohol advertising by privately owned media and companies;

(d) Evaluate the National Drug Control Master Plan 2014–2018 and the national alcohol policy and include information in that regard, as well as data on drug and alcohol abuse among children, in its next report to the Committee.

H. Education, leisure and cultural activities (arts. 28–31)

Education, including vocational training and guidance

34. **While recognizing the efforts made and measures taken by the State party regarding education and training and with reference to its general comment No. 1 (2001) on the aims of education and target 4.5 of the Sustainable Development Goals on eliminating gender disparities in education and ensuring equal access to all levels of education and vocational training for the vulnerable, the Committee recalls its previous recommendations (see CRC/C/15/Add.189, para. 49 and CRC/C/SYC/CO/2-4, para. 60) and urges the State party to:**

(a) Undertake research on the reasons why students drop out of school, to develop durable solutions, including the introduction of more motivating school curricula that ensure children's continuing education or vocational training and enhance their opportunities for employment and integration into society, in view of the fact that the school dropout rate increased in 2016 following a decline from 2014 to 2015, and provide comprehensive information in that regard to the Committee in its next report;

(b) Strengthen the measures to increase relevant and more productive vocational training for girls, without gender stereotyping, and continue to ensure that pregnant girls and adolescent mothers are supported and assisted in continuing their education in mainstream schools;

(c) Ensure the allocation of sufficient and adequate human, technical and financial resources to the education system.

I. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)–(d) and 38–40)

Asylum-seeking and refugee children

35. **Noting with appreciation the State party's commitment to developing a national legislative asylum framework and to putting in place reception conditions for asylum-seeking and refugee children and their families arriving in the State party, the Committee recommends that the State party:**

(a) Establish a national legislative asylum framework that includes procedures for refugee-status determination, to ensure that children in need of international protection and their families have prompt and effective access to fair and efficient asylum procedures and to registration and identity documents, in line with articles 4, 8 and 22 of the Convention and the Committee's general comment No. 6 (2005) on treatment of unaccompanied and separated children outside their country of origin;

(b) Ensure that the best interests of asylum-seeking and refugee children are taken as a primary consideration in all decisions and agreements;

(c) Process cases involving unaccompanied asylum-seeking and refugee children in a positive, humane and expeditious manner and identify durable solutions, in line with article 10 (1) of the Convention;

(d) Develop comprehensive referral and case-management frameworks for services for children in need of international protection and their families, including for appropriate living conditions, physical and mental health services, education and

the police and justice sectors — including the provision of free legal aid, particularly for unaccompanied and separated children — while ensuring that children deprived of their family environment are entitled to special protection and assistance.

Economic exploitation, including child labour

36. **Noting the lack of information on the employment of children in the informal sector and in the tourism industry and on the number of labour inspections carried out, and recalling its previous recommendations (see CRC/C/SYC/CO/2-4, para. 62), the Committee recommends that the State party:**

(a) **Further strengthen the institutional structures and mechanisms to protect children from economic exploitation, including the worst forms of child labour, to systematically record cases of child labour, particularly labour in hazardous conditions and in the informal sector, and to increase labour inspections at places of work and bring perpetrators to justice;**

(b) **Strengthen public awareness of child labour, its exploitative character and its consequences and combat public perceptions that children are income-generating assets;**

(c) **Further engage with international donors, agencies, civil society organizations and the business sector to combat child labour and economic exploitation, particularly for disadvantaged and marginalized children, girls, children in street situations and orphans, or drug- and substance-abusing children, who are at risk of being engaged in worst forms of child labour;**

(d) **Accelerate the adoption of a list of hazardous work explicitly prohibited for children by way of amendment of the Employment Act.**

Sale, trafficking and abduction of children

37. **The Committee welcomes the adoption of the Prohibition of Trafficking in Persons Act, 2014 and a national strategic framework and action plan to combat trafficking in persons, the establishment of a national coordinating committee and the implementation of a media campaign supported by the International Organization for Migration (IOM). With reference to its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence and target 16.2 of the Sustainable Development Goals on ending abuse, exploitation, trafficking and all forms of violence against and torture of children, the Committee recalls its previous recommendations (see CRC/C/SYC/CO/2-4, para. 66) and recommends that the State party:**

(a) **Allocate the resources necessary for the implementation of the Prohibition of Trafficking in Persons Act, swiftly adopt the regulations to the Act and establish the trafficking case database to allow the Act to become fully operational;**

(b) **Prioritize the prevention of trafficking in children and the protection and rehabilitation of child victims and promptly investigate and prosecute cases of child trafficking pursuant to section 4 of the Act;**

(c) **Strengthen awareness-raising programmes, including campaigns and capacity-building programmes for judicial, law enforcement and other officials, including those involved in prevention and in the recovery and social reintegration of child victims;**

(d) **Conclude bilateral and/or multilateral agreements with concerned countries to prevent the sale, trafficking and abduction of children and develop joint plans of action between and among the countries involved;**

(e) **Strengthen its technical cooperation with IOM, among others, in this regard.**

Administration of juvenile justice

38. The Committee welcomes the fact that the State party availed itself of technical assistance, through the Voluntary Trust Fund for Participation in the Universal Periodic Review, to carry out a situation analysis of current practices and develop standard operating procedures and monitoring and evaluation mechanisms in 2015. However, the Committee remains concerned that the minimum age of criminal responsibility is 7 years, that children between 7 and 12 years of age may be held criminally responsible if found to be sufficiently mature and that the State party has not provided information to the Committee on the status of implementation of its previous recommendations in the area of administration of juvenile justice.

39. **With reference to its general comment No. 10 (2007) on children's rights in juvenile justice and reiterating its previous recommendations (see CRC/C/SYC/CO/2-4, para. 69), the Committee urges the State party to bring its juvenile justice system fully into line with the Convention and other relevant standards, and recommends that the State party:**

(a) **Expeditiously raise the age of criminal responsibility to an internationally accepted standard;**

(b) **Continue to strictly refrain from prosecuting children under the age of 12 years under any circumstances;**

(c) **Promote non-judicial measures in the case of children accused of criminal offences, such as diversion, mediation and counselling, and, wherever possible, use alternative measures at sentencing, such as probation or community service, and ensure the allocation of sufficient human and budgetary resources for the effective implementation of the Probation of Offenders (Amendment) Act;**

(d) **Ensure that detention, including pretrial detention, if unavoidable, is used as a measure of last resort only and for the shortest possible period of time and that it is reviewed on a regular basis with a view to its withdrawal and ensure that detention is not used for minor offences;**

(e) **Take the necessary measures to expedite trials involving children, with a view to reducing the period of pretrial detention, and ensure that children are not detained together with adults and that detention conditions are compliant with international standards, including with regard to a safe, child-sensitive environment, maintaining regular contact with family members, access to food, health services and education, including vocational training;**

(f) **Ensure that the juvenile justice system is equipped with adequate human, technical and financial resources and that designated specialized judges for children receive appropriate training;**

(g) **Ensure the provision of qualified and independent legal aid to children in conflict with the law at an early stage of and throughout legal proceedings;**

(h) **Seek technical assistance in this regard from, among others, OHCHR, UNICEF and the United Nations Office on Drugs and Crime.**

Child victims and witnesses of crime

40. **The Committee recalls its previous recommendations (see CRC/C/SYC/CO/2-4, para. 70) and recommends that the State party ensure, through adequate legal provisions and regulations where this is not yet the case, that all child victims and/or witnesses of crimes, such as child victims of abuse, domestic violence, sexual and economic exploitation, abduction and trafficking and child witnesses of such crimes, including those perpetrated by State and non-State actors, are provided with the protection required under the Convention, taking fully into account the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime.**

J. Ratification of the Optional Protocol to the Convention on a communications procedure

41. **The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, ratify the Optional Protocol to the Convention on a communications procedure, signed on 24 September 2013.**

K. Ratification of international human rights instruments

42. **The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, consider ratifying the following core human rights instruments to which it is not yet a party:**

(a) **The Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;**

(b) **The Optional Protocol to the International Covenant on Economic, Social and Cultural Rights;**

(c) **The Optional Protocol to the Convention on the Rights of Persons with Disabilities.**

43. **The Committee urges the State party to fulfil its reporting obligations under the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography, the reports on which were overdue as of 10 September 2012 and 11 January 2015, respectively.**

L. Cooperation with regional bodies

44. **The Committee recommends that the State party cooperate with the African Committee of Experts on the Rights and Welfare of Children of the African Union on the implementation of the Convention and other human rights instruments, both in the State party and in other African Union member States.**

IV. Implementation and reporting

A. Follow-up and dissemination

45. **The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented. The Committee also recommends that the combined fifth and sixth periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.**

B. Next report

46. **The Committee invites the State party to submit its seventh periodic report by 6 October 2022 and to include therein information on the follow-up to the present concluding observations. The report should be in compliance with the Committee's harmonized treaty-specific reporting guidelines adopted on 31 January 2014 (CRC/C/58/Rev.3) and should not exceed 21,200 words (see General Assembly resolution 68/268, para. 16). In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report in accordance with the above-mentioned resolution. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the treaty body cannot be guaranteed.**

47. **The Committee also invites the State party to submit an updated core document, not exceeding 42,400 words, in accordance with the requirements for the common core document contained in the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (see HRI/GEN/2/Rev.6, chap. I) and paragraph 16 of General Assembly resolution 68/268.**